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## **Civil Disclosures Form (Schedule 2, Part 1 (5)(3) Data Protection Act 2018)**

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### FORM TO BE COMPLETED AND SUBMITTED BY THE SOLICITOR

From (Name of Solicitor Handling) Organisation/Company

Address

Tel No.

Email

Your Reference

Your Client

### **SECTION I – GUIDANCE NOTES**

- Each request will be considered on its own merits, and disclosures are made at the discretion of the Chief Constable.
- This form should only be used for requests for the purpose of civil proceedings.
- It is **ESSENTIAL** that sufficient information is provided in order to locate the information you require. Should any of the required fields not be completed, thorough Police checks cannot be conducted which may result in vital information being missed. Incomplete forms will be sent back and will not be processed until completed fully.
- Searches will not commence until the form is fully completed and the relevant fee is received.
- Witness details will only be released with consent – please state if required.
- ‘Incident logs’ are the initial call of an incident to the Police, a crime report is created if a criminal offence has been committed.
- The request must be received from a solicitor or an appropriate body. Requests from individuals acting on their own behalf must submit a court order for the information they are seeking.
- Disclosures will be based on careful consideration of all the facts, including the public interest, the risk of harm to individuals or investigations and the requirements of legislation.
- Disclosures will not normally be made until the completion of any related criminal investigation or prosecutions.
- Disclosures will not be made that may prejudice a completed, ongoing, planned or potential investigation or prosecution. Where the requestor cites this exemption and an alternative framework for disclosure exists, this will be considered in the first instance.
- In order to respond to the request for disclosure under Schedule 2, Part 1 (5)(3) of the Data Protection Act 2018, a charge for the provision of the information and/ or the administration/ research required to ascertain whether any information is held may be levied.

**SECTION 2 – GUIDANCE NOTES**

**DETAILS OF THE LEGAL OR PROSPECTIVE LEGAL PROCEEDINGS**

THIS WHOLE SECTION IS **MANDATORY (marked by \*)** AND IF NOT COMPLETED OR THERE ARE NO LEGAL PROCEEDINGS ONGOING OR PENDING THIS FORM WILL BE RETURNED AND NOT PROCESSED

\*Details of Legal Proceedings

\*Court Name:

\*Court/Case Reference

\*Court Dates

\*Please provide specific reasoning as to why Police Information is necessary to proceed with your case & how you intend to use this information

**\*\*THIS BOX MUST BE COMPLETED\*\***

**BRIEF DETAILS OF INCIDENT**

Type of Incident

Date of Incident

Location of Incident

Parties Involved in Incident (if known)

Vehicle Registration Number of All Parties Involved (Including your client) (if info is requested for a non-inj RTC)

Any other details

**INFORMATION REQUIRED**

Just third party details

Incident log & crime report (third party details will be included in this if held)

Relevant Incident Log / Crime Report Reference Numbers (if known)

Other information/documents

Please state additional documents required here:

(these documents/items may not always be available and additional payment may be required)

Disclosures will not normally be made until the completion of any related criminal investigation or prosecutions. Information held will vary case by case and as such we may not have all of the documentation/items that you request.

### SECTION 3 - CHARGES

Northumbria Police charges for policing services in accordance with the National Policing Guidelines on Charging for Police Services, including where disclosure of material is sought in connection with legal proceedings and the Chief Constable is not a party.

Therefore, please provide payment in the sum of £106.80, which provides for up to two hours work and note that further charges will apply should we be able to provide disclosure. If disclosure cannot be provided, then we will explain why.

Please use your / your client's name as the payment reference; By submitting this form, you confirm payment has been made. We cannot find missing payments that do not have the reference details as stipulated. If the reference is not provided as requested, you will be asked to provide payment again and any previous payment will not be reimbursed.

Please make a BACS payment/bank transfer of £106.80 to:

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BACS: Northumbria Police Fees & Charges

Sort Code: 20-59-42

Account Number: 23741974

By submitting this form, you confirm payment has been made.

Please see below Section 4 if you are paying by cheque and applying by post.

### SECTION 4 - LEGAL BASIS OF REQUEST

Schedule 2, Part 1 (5)(3) The listed GDPR provisions (as per Schedule 2, Part 1 (1)) do not apply to personal data where disclosure of the data –

- (a) Is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings)
- (b) Is necessary for the purpose of obtaining legal advice, or
- (c) Is otherwise necessary for the purposes of establishing, exercising or defending legal rights,

To the extent that the application of those provisions would prevent the controller from making the disclosure.

I confirm that the personal data requested is needed for the above purposes and failure to provide the information will, in my view, be likely to prejudice these matters. I undertake to keep the information supplied for the purposes of this application secure, use only for the specified purpose and not to supply copies to any other party except:

- A barrister/legal representative instructed by me
- The other parties legal representative
- An expert witness instructed by myself or the court
- By further order of a court or with the written consent of the Chief Constable's nominated officer or deputy

NAME OF SOLICITOR

POSITION

DATE  SIGNED

Each request will be considered on its own merits, and disclosures are made at the discretion of the Chief Constable. In certain circumstances the Force may refuse to release certain information (ie information which if imparted could lead to an action of breach of confidence), and request the receipt of a court order. Where a court order is received, this will provide the lawful authority to enable confidential information to be shared. However, there may be occasions where the Force may seek to vary the court order.

Completed application forms can be emailed to:

data.protection@northumbria.police.uk

Completed application forms, along with the fee, to be posted to:

Information Compliance Unit, Bedlington Police Station,  
Schalksmuhle Road, Bedlington  
NE22 7LA